

REMARKS/ARGUMENTS

This application has been carefully considered in light of the Non-Final Office Action of July 17, 2008. The following is submitted.

Claims 1, 2, 4, 5 7, 10-12 remain in the application. Claims 1, 2, 4, and 7 have been rejected by the Examiner under 35 U.S.C. 102(b). Claims 5 and 8 are rejected by the Examiner under 35 U.S.C. 103(a), while claims 3-8 are objected to by the Examiner. Claims 1, 2, 4, 5, 7, 10-12 have been amended to more clearly claim the inventive aspects of the Applicant's claimed invention and to place them in proper format. Claim 8 has been cancelled with this amendment. Claims 3, 6, and 9 have been cancelled in light of the finality of a restriction requirement as being directed to the non-elected subject matter. Even in light of these amendments, no new matter is being added.

The specification has been amended to include section headings. Even in light of these amendments, no new matter is being added.

The Examiner is rejecting claims 1, 2, 4 and 7 under 35 U.S.C. 102(b) as being anticipated by Wallmann (US Patent 6,316,085). The Examiner states the Wallmann patent contains each of the steps of claim 1.

Claim 1 has been amended to more clearly define the

invention, namely step 'c' of claim 1 has been amended to recite subjecting power to a laser beam (8) at the same time as projecting the make-up material so as to form finish. Support for this amendment can be found in paragraph 40 of the published application:

"...At the same time as this powder or powder mixture is projected under pressure, it is subjected to a laser beam 8 simultaneously with deposition thereof so as to raise it to a melting temperature such that the bead 6 of powder 5 merges intimately with the blade body 2 ...."

Further an additional step d has been added to claim 1, namely  
"... performing a tempering and hardening operation on the blade body fitted with a bead or strip of the make-up material ...."

The inclusion of this subject matter is taken from claim 8 of the application as filed.

It is respectfully stated the Wallmann patent cannot anticipate the claimed invention, as Wallmann does not disclose tempering of the metal after filing under laser. The Wallmann patent as seen in figure 6 shows a mold 22' and a support blade 16 with a stream of substance being directed onto the support blade and further being heated by the laser beam 8. There is no mention of tempering or hardening of the metal once the laser has heated the substance, as is required by claimed invention. Furthermore, the claimed invention recites the step of forming a bead or strip on a portion of the free edge without use of a

mold. The Wallmann patent does not disclose either the tempering or the forming of a bead or strip on a portion of the free edge.

Since the Wallmann patent does not disclose all of the elements of independent claim 1 and those claims depending therefrom, it is respectfully requested that the rejection of claims 1, 2, 4 and 7 be removed.

The Examiner has issued a rejection of claims 10-12 under 35 U.S.C. 102(e) as being anticipated by Pacher (US Patent 7,210,388). The Examiner states Pacher contains all of the elements of claims 10-12. Claims 10 and 12 have been amended to include the process steps of claim 1.

Pacher does not employ the use of a laser but rather a means of fusion welding whereby the metal cylinders are used for the production of saw blade "... by means of fusion welding...." (col 4, line 32) Given that claims 10 and 12 now contain the limitations by which the process of the claimed invention is made Pacher cannot anticipate the claimed invention and removal of the rejection is respectfully requested.

The Examiner has issued a rejection of claim 5 under 35 U.S.C. 103(a) as being obvious in view of Wallmann over Pacher (US Patent 7,210,388). The Examiner states Wallmann contains all of the claimed elements of claim 5 with the exception of "... the joined strip or bead of make-up material and the blade body being

further machined by grinding, machining or abrading...." The Examiner further asserts Pacher discloses a blade body with an insert which is ground subsequent to fusing.

It is respectfully stated that in light of the amendments to the claims as outlined above Wallmann does not disclose the claimed invention, therefore the combination of Wallmann and Pacher would not yield the applicant's claimed invention. Therefore, removal of the rejection is requested.

The Examiner has issued a rejection of claim 8 under 35 U.S.C. 103(a) as obvious in view of Wallmann over Korb (US Published Application 2003/0019332). The Examiner states Wallmann contains all of the claimed elements of claim 8 with the exception of "... the method in that prior to the step of forming the cutting edge, a hardening and tempering operation is performed..." The substance of claim 8 has now been incorporated into claim 1 and claim 8 has been cancelled. However, it should be noted in paragraph 40 of the specification, the projection of the powder onto the blade body is done under pressure and simultaneously with its subjection to the laser beam. It is respectfully requested the rejection be removed.


An earnest effort has been made to place this application in condition for formal allowance, which action is requested. Should the Examiner have any questions regarding the allowability

Appl. No. 10/589,900

Docket: 15472NP

of the claims, it is requested that an interview be granted with applicant's representative prior to taking any action that may be considered as final. Any fees necessitated by the filing of this response may be charged to Deposit Account 04-1577.

Respectively Submitted;  
Dowell & Dowell, P.C.



Wendy M. Slade

Dated: November 2, 2008

Registration No.: 53,604  
Dowell & Dowell, P.C.  
2111 Eisenhower Avenue  
Suite 406  
Alexandria, VA 22314  
Customer No.: 000293  
[dowell@dowellpc.com](mailto:dowell@dowellpc.com)  
Tele.: 703-415-2555